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Notice of Allowability	Application No.	Applicant(s)	
	09/898,735	GAZEWOOD, MICHAEL J.	
	Examiner	Art Unit	
	James M Hewitt	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 2/18/04.
2. ☒ The allowed claim(s) is/are 21, 23-28, 34-39, 41-43 and 48-51 renumbered as 1-20 respectively.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none">1. <input type="checkbox"/> Notice of References Cited (PTO-892)2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>12/11/03</u>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none">5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____.7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance9. <input type="checkbox"/> Other _____. |
|---|--|

[Signature]
5/21/04

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dean Domingue on 5/21/04.

The application has been amended as follows:

In the specification:

On page 1 line 1, the phrase --, now U.S. Patent No. 6,276,690-- has been inserted after "This application is a continuation of application serial no. 09/303,201, filed on 30 April 1999".

In the claims:

In claim 21 line 6, "continuous" has been deleted.

In claim 21 line 6, "circumferential" has been replaced with --continuous cylindrical--.

In claim 21 line 7, "circumferential" has been replaced with --continuous cylindrical--.

In claim 21 line 8, "with" has been replaced with the phrase --and provide a low stress concentration in--.

In claim 21 line 12, "circumferential" has been replaced with --cylindrical--.

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In claim 23 line 1, the phrase "claim 22" has been replaced with --of claim 1,--.

In claim 23 line 3, "circumferential" has been replaced with --cylindrical--.

In claim 24 line 1, "23" has been replaced with --2,--.

In claim 24 line 4, "circumferential" has been replaced with --continuous cylindrical--.

In claim 24 line 5, "circumferential" has been replaced with --continuous cylindrical--.

In claim 24 line 12, "circumferential" has been replaced with --cylindrical--.

In claim 25 line 1, "24" has been replaced with --3,--.

In claim 26 line 1, "25" has been replaced with --4,--.

In claim 26 line 3, "circumferential" has been replaced with --cylindrical--.

In claim 27 line 1, "23" has been replaced with --1,--.

In claim 28 line 1, "26" has been replaced with --5,--.

Claims 29-33 have been canceled.

In claim 34 line 5, "circumferential" has been replaced with --continuous cylindrical--.

In claim 34 line 7, the phrase --to produce a low stress concentration in the tubular member-- has been inserted after "member".

In claim 34 line 7, "circumferential" has been replaced with --cylindrical--.

In claim 34 lines 7-8, the phrase ", said ribs at least partially embedding in the tubular member to form said seal" has been deleted.

In claim 35 line 1, "34" has been replaced with --8,--.

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In claim 35 line 3, "circumferential" has been replaced with --continuous cylindrical--.

In claim 36 line 1, "35" has been replaced with --9,--.

In claim 36 line 2, "circumferential" has been replaced with --cylindrical--.

In claim 37 line 1, "36" has been replaced with --10,--.

In claim 37 line 3, "circumferential grooves" has been replaced with --cylindrical ribs--.

In claim 38 line 4, the phrase "a substantially circumferential rib element" has been replaced with --a plurality of substantially continuous cylindrical rib elements--.

In claim 38 line 6, the phrase "member said circumferential rib element" has been replaced with --member, said cylindrical rib elements--.

In claim 38 line 7, the phrase --member, thus producing a low stress concentration in the tubular member-- has been inserted after "tubular".

In claim 39 line 1, "38" has been replaced with --12,--.

In claim 41 line 1, "38" has been replaced with --12,--.

In claim 42 line 1, "39" has been replaced with --13,--.

In claim 43 line 1, "38" has been replaced with --12,--.

In claim 43 line 2, "element" has been replaced with --elements--.

In claim 48 line 5, "a rib element" has been replaced with --a plurality of continuous cylindrical rib elements--.

In claim 48 line 8, "member" has been replaced with the phrase --member, thus producing a low stress concentration in the tubular member--.

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In claim 49 line 1, "48" has been replaced with --17,--.

In claim 50 line 1, "48" has been replaced with --17,--.

In claim 51 line 1, "48" has been replaced with --17,--.

Drawings

Note that a replacement sheet should be submitted reflecting the drawing corrections filed 12/2/02. In order to avoid abandonment of the application, applicant must submit such a sheet.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose, singly or in combination, the apparatuses or system as claimed in detail in independent claims 21, 34, 38 and 48.

The most relevant prior art includes: Claycomb (US 3,282,346), Owen et al (US 3,948,321), Mack (US 1,919,853), Humason (US 1,804,619), Penick (US 2,464,713) and Hart (US 2,345,873).

With respect to claim 21, none of the above references teach or fairly suggest that the first anchoring member is made of a metal harder than the tubular member, the first anchoring member containing a first plurality of expandable continuous cylindrical ribs formed thereon, wherein the ribs partially embed in the tubular member to form a substantially met-to-metal seal and provide a low stress concentration in the tubular member.

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With respect to claim 34, none of the above references teach or fairly suggest that the first sleeve includes a plurality of continuous cylindrical ribs disposed thereon for forming a substantially metal-to-metal seal with the tubular member by embedding into the tubular member to produce a low stress concentration in the tubular member.

With respect to claim 38, none of the above references teach or fairly suggest that the anchoring member includes a plurality of substantially continuous cylindrical rib elements for providing a substantially metal-to-metal seal with the tubular member when radially expanded into engagement with the tubular member, said rib elements being relatively harder than the tubular member and shaped to form a slight indentation in the tubular member, thus producing a low stress concentration in the tubular member.

With respect to claim 48, none of the above references teach or fairly suggest that the anchoring assembly includes a sealing member provided with a plurality of continuous cylindrical rib elements adapted to form a substantially metal-to-metal seal with the tubular member when expanded, said sealing member being relatively harder than the tubular member and shaped to form a slight indentation in the tubular member, thus producing a low stress concentration in the tubular member.

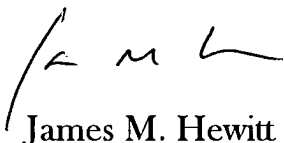
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hewitt whose telephone number is 703-305-0552. The examiner can normally be reached on M-F, 930am-600pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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